

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

GARY FLUTE, SR., Inmate #12387-073

Plaintiff,

vs.

HARLEY G. LAPPIN,

Defendant.

CIVIL NO. 09-016-GPM

ORDER

MURPHY, District Judge:

This matter is before the Court *sua sponte*. On April 21, 2009, the Court issued a Memorandum and Order denying Plaintiff's motion to proceed *in forma pauperis* on appeal (Doc. 13). Accordingly, Plaintiff shall tender the appellate filing and docketing fee of \$455 to the Clerk of Court in this district, or he may reapply to the Seventh Circuit Court of Appeals for leave to proceed *in forma pauperis* on appeal.

IT IS SO ORDERED.

DATED: 04/23/09

s/ G. Patrick Murphy

G. PATRICK MURPHY
United States District Judge